

**4.550 Deviation.**

"Deviation" means a special exception to modify the physical standards of this regulation as applied to a specific piece of property located within the entryway corridor overlay district. A deviation may be permitted only by the commission.

Amended Resolution 2001-09

**4.560 Drive access.**

"Drive access" means that area between the curb of a street, or edge of the traveled portion of a street when no curb exists, and the right-of-way/property line over which the county will permit vehicular travel from the traveled portion of a street to an individual property, or off-street parking space(s).

**4.570 Drive-in business.**

"Drive-in business" means any business in which people are provided a service or a product, where a sale is made without the customer being required to leave the vehicle. Such businesses include, but are not limited to, the following: drive-in theater, drive-in bank, freestanding automated teller machine, drive-in laundry or dry cleaning pickup station, drive-in restaurant, and any business offering take-home food services.

**4.580 Duplex.**

See definition of dwelling, two-family, section 4.610.

**4.590 Dwelling.**

"Dwelling" means a building, or portion thereof, capable of meeting the requirements of the city of Bozeman's adopted Uniform Building Code, used primarily for residential occupancy, including single-family, two-family, multiple-family dwellings and group homes, but not including hotels, motels or tourist homes.

**4.600 Dwelling, single-family.**

"Single-family dwelling" means a building used for residential occupancy by one family.

**4.610 Dwelling, two-family.**

"Two-family dwelling" means a building, or portion thereof, used for occupancy by two families living independently of each other with the units completely separated by a common wall, floor and/or ceiling. Also referred to as "duplex."

**4.620 Dwelling, multiple (multifamily).**

"Multiple (multifamily) dwelling" means a building, or portion thereof, used for occupancy by three or four families living independently of each other, with the units completely separated by a common wall, floor and/or ceiling.

**4.630 Dwelling unit.**

"Dwelling unit" means a dwelling, or portion of a dwelling, used by one household for residential purposes.

**4.640 Essential services (Type I).**

"Essential services (Type I)" means water pumping stations; stormwater drainage facilities (including collection lines, retention/detention ponds and drainage ways); sanitary sewer and storm sewer lift stations; local service telephone lines and cables; local service electrical distribution lines and cables; local service cable television lines; local service electronic data transmission lines and cables; water and sanitary sewer distribution and collection lines; public and amateur radio antennae and towers.

**4.650 Essential Services (Type II).**

"Essential Services (Type II)" means transport gas, oil and coal pipelines (interstate and intrastate); electric substations; electrical transmission lines (interstate and intrastate); public supply facilities (electric and gas); public treatment facilities (water, sanitary sewer and storm sewer); public domestic water storage facilities; water fill stations for firefighting equipment; telephone satellite community dial offices; telephone exchanges and repeater stations, except those facilities which may be considered Large Scale Broadcast Facilities and Small Scale Broadcast Facilities; other accessory facilities, equipment and structures; police and fire stations.

**4.655 FAA.**

"FAA" means the Federal Aviation Administration.

**4.660 Family.**

"Family" means any individual, or two or more persons related by blood or marriage, or a group of not more than four persons (excluding servants) who need not be related by blood or marriage, living together as a single nonprofit housekeeping unit.

**4.665 FCC.**

"FCC" means the Federal Communications Commission.

**4.670 Fence.**

"Fence" means a barrier constructed of materials erected for the purpose of protection, confinement, enclosure or privacy.

**4.680 Final approach and take off area (FATO).**

"Final approach and take off area (FATO)" means a defined area over which the final phase of the approach maneuver to hover or landing is completed and from which the takeoff maneuver is commenced.

**4.690 Floodplain.**

All floodplain- related definitions can be found in Section 44, Flood Hazard District, of this code.

**4.700 Floor area, gross.**

"Gross floor area" means the sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a

wall separating two buildings., but not including interior parking spaces, loading space for motor vehicles, or any space where the floor-to-ceiling height is less than six feet.

**4.710 Floor area, net.**

"Net floor area" means the total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.

**4.720 Floor area ratio (FAR).**

"Floor area ratio (FAR)" means the gross floor area expressed in square feet divided by the total amount of land of the site or parcel, also expressed in square feet, where the floor area is located.

**4.730 Garage, private.**

"Private garage" means a detached accessory building, or portion of a main building, designed or primarily used for the storage of self-propelled vehicles for the family housed in the building to which such garage is accessory.

**4.740 Garage, public.**

"Public garage" means any building or premises, except those defined herein as a private garage, used for the storage or care of motor vehicles; or where such vehicles are equipped for operation, repaired, or kept for rental, hire or sale.

**4.750 Grade.**

"Grade" means the lowest point of elevation of the finished surface of the ground. "Finished surface of the ground" shall not include window wells, stairwells, or other similar features, but shall include features such as usable patio areas.

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**4.760 Greenhouse.**

"Greenhouse" means a building or structure constructed chiefly of glass, glass-like translucent material, cloth, lath or similar materials which is devoted to the protection or cultivation of flowers or other plants.

**4.770 Greenhouse, commercial.**

See definition of nursery, plant, section 4.1200.

**4.780 Ground floor area.**

"Grand floor area" means the square foot area of a building within its largest outside dimension computed on a horizontal plane at the ground floor level, exclusive of open porches, breezeways, terraces, garages, exterior stairways and secondary stairways.

**4.790 Group home.**

"Group home" means a single, residential structure having common kitchen facilities occupied by not more than eight persons living together for the purpose of training, observation, and/or common support on a twenty-four-hour per day basis. The limitation of eight or fewer persons does not include the operator of a residential facility, members of the operator's family or persons employed as staff, except that the total number of all persons living at the residential facility shall not exceed ten.

**4.795 Growth policy plan.**

"Growth policy plan" means the *Gallatin County Plan* and the *1990 Bozeman Area Master Plan Update neighborhood plan revision to the Gallatin County Plan*; and any subsequent amendments or revisions adopted in accordance with 76-1-601 *et seq.*, MCA.  
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**4.800 Guest house.**

"Guest house" means an attached or detached accessory building used to house guests of the occupants of the principal building, and which is never rented or offered for rent. Any guest house providing cooking facilities shall be considered a dwelling unit.

**4.810 Health and exercise establishments.**

"Health and exercise establishments" means an establishment designed and equipped for the conduct of sports, exercise activities, and other customary and usual recreational activities, including tennis, racquetball, handball and squash courts, weight and aerobic exercise rooms, running facilities, swimming pools, and whirlpool and sauna facilities. Permitted accessory uses shall include child care, sun tanning booths, massage, health and nutrition counseling services, retail sales of sporting goods, and restaurant services.

**4.820 Home occupation or profession.**

"Home occupation or profession" means any use conducted entirely within a dwelling, which use is clearly incidental and secondary to the use of the dwelling for residential purposes and which meets the requirements of this title.

**4.830 Hospital.**

"Hospital" means an institution for the diagnosis, treatment, or other cure of human ailments and includes sanitarium or clinic, provided such institution is operated by, or treatment is given, under direct supervision of a physician licensed to practice by the state of Montana.

**4.840 Hotel or motel.**

"Hotel or motel" means a building or a group of buildings, in which lodging is provided and offered to transient guests for compensation; shall not include a boarding house, lodginghouse or roominghouse.

**4.850 Incidental.**

"Incidental" means any action or use of less importance, or secondary to, any other action or use.